

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of PRINCETON M. HINKINS,
JASPER K. HINKINS and AMBER J. HINKINS,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES LONG,

Respondent-Appellant,

and

DEBORAH MICHELLE HINKINS, LAMONT
RICHARDSON and ANDRE KING,

Respondents.

UNPUBLISHED

February 11, 2000

No. 218529

Wayne Circuit Court

Family Division

LC No. 89-275950

Before: O'Connell, P.J., and Meter and T. G. Hicks*, JJ.

MEMORANDUM.

Respondent James Long ("respondent") appeals by delayed leave granted from an order terminating his parental rights to Amber Hinkins pursuant to MCL 712A.19b(3)(a)(ii), (b)(i), (b)(ii), (c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(a)(ii), (b)(i), (b)(ii), (c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Giving deference to the trial court's superior opportunity to evaluate the credibility of the witnesses, we conclude that the challenged findings of fact were not clearly erroneous. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). As such, the trial court did not clearly err in

* Circuit judge, sitting on the Court of Appeals by assignment.

finding that statutory grounds for termination were established by clear and convincing evidence.¹ *Id.* Further, respondent failed to show that termination of his parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the trial court did not err in terminating respondent's parental rights to the child.² *Id.*

Affirmed.

/s/ Peter D. O'Connell

/s/ Patrick M. Meter

/s/ Timothy G. Hicks

¹ Petitioner concedes that termination of respondent's parental rights pursuant to § 19b(3)(a)(ii) was inappropriate, because that subsection applied only to the child's mother. However, the remaining statutory grounds for termination were established by clear and convincing evidence. Because only a single statutory ground is required in order to terminate parental rights, *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991), any error in applying § 19b(3)(a)(ii) to respondent was harmless.

² We note that the trial court in its extensive opinion characterized the children's (including Amber's) behavior, which was the result of sexual and physical abuse perpetrated, and allowed to be perpetrated, upon them by respondent as "currently worse than anything the court has ever seen in children of this age."